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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/734,363      | 12/12/2003  | Jerrel C. Anderson   | AD7079 USNA         | 2812             |

23906 7590 09/22/2005

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EXAMINER

CHEN, VIVIAN

ART UNIT PAPER NUMBER

1773

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |                     |  |
|------------------------------|-----------------|---------------------|--|
| <b>Office Action Summary</b> | Application No. | Applicant(s)        |  |
|                              | 10/734,363      | ANDERSON, JERREL C. |  |
|                              | Examiner        | Art Unit            |  |
|                              | Vivian Chen     | 1773                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26 is/are allowed.
- 6) ☒ Claim(s) 1-25 and 27-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6-2004</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-12, 14-25, 27 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, 14, 27, the phrase "polyolefins, including polyethylenes and polypropylenes" are vague and indefinite (or in the alternative, redundant) because it is unclear the term "polyolefins" are limited to only "polyethylenes and polypropylenes".

Claims 2-12 are vague and indefinite because there is insufficient antecedent basis for the phrase "the other polymer(s)".

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-3, 5-7, 11, 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over:

ROBINSON (US 5,690,994) or ROBINSON (US 5,698,329) or ROBINSON (US 5,411,845) or ROBINSON (US 5,770,312).

The ROBINSON references disclose a polyester film (e.g., PET) coated with an adhesion-promoting coating comprising a polyallylamine, wherein the coating is applied to the polyester film in-line, heated to typical temperatures of 150-240 C, and further stretched prior to bonding with other polymer layers (e.g., polyvinyl butyral, polyethylene, etc.) to form a multilayer film suitable for graphic or imaging applications.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply two different polymer materials to the primed surface of a polyester film (claim 5) in order to obtain specific physical properties in specific regions of the film (e.g., sealability in one portion and enhanced abrasion resistance in others, etc.). One of ordinary skill in the art would have laminated the primed polyester film to another polyester film (claim 6) in order to obtain a laminate with improved mechanical or barrier properties. It would have been obvious to use the multilayer film of the ROBINSON references as components in conventional display articles (claim 29).

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over ROBINSON (US 5,690,994) or ROBINSON (US 5,698,329) or ROBINSON (US 5,411,845) or ROBINSON (US 5,770,312) as applied to claim 1, 2, 5-6 above, and further in view of ANDERSON (US 5,069,942).

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ANDERSON discloses that it is well known in the art to apply polysiloxane hardcoats to polyester films in order to improve abrasion resistance. (line 15-20, col. 1)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply a known functional layer such as a polysiloxane-based coating on the films of the ROBINSON references in order to improve durability.

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over: MOLNAR ET AL (US 6,686,012).

MOLNAR ET AL discloses a laminate structure comprising a polyester first layer, fluoropolymer second layer, and a third polymer layer, wherein a bonding layer comprising a polyallylamine is present between the first and the second layer, and between the second layer and the third layer.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a known bonding layer to increase interlayer adhesion between components.

***Allowable Subject Matter***

7. Claims 4, 8-9, 12, 14-25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. Claim 26 is allowable over the prior art of record.

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9. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to disclose or suggest a polyallylamine-primed polyester film directly bonded via the primer layer to an ionomer layer.

### *Conclusion*


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivian Chen whose telephone number is (571) 272-1506. The examiner can normally be reached on Monday through Thursday from 8:30 AM to 6 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney, can be reached on (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

The General Information telephone number for Technology Center 1700 is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 19, 2005

  
Vivian Chen  
Primary Examiner  
Art Unit 1773